

This Opinion is Not a  
Precedent of the TTAB

Hearing: August 30, 2022

Mailed: September 19, 2022

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

*In re Natural Cravings Pet Treats LLC*

Serial No. 88785786

James A. Stepan of Law Offices of James A. Stepan PA,  
for Natural Cravings Pet Treats LLC.

Frank Lattuca, Trademark Examining Attorney, Law Office 109,  
Michael Kazazian, Managing Attorney.

Before Cataldo, Greenbaum and Hudis,  
Administrative Trademark Judges.

Opinion by Cataldo, Administrative Trademark Judge:

Applicant, Natural Cravings Pet Treats LLC, filed an application, as amended to seek registration on the Supplemental Register, of the designation BEEF CHEEK (in standard characters) for “edible treats and chews for pets” in International Class 31.<sup>1</sup>

<sup>1</sup> Application Serial No. 88785786 was filed on February 5, 2020 on the Principal Register under Trademark Act Section 1(a), 15 U.S.C. § 1051(a). In response to the Examining Attorney’s refusal of registration under Trademark Act Section 2(e)(1), 15 U.S.C. § 1052(e)(1), Applicant amended its application to seek registration on the Supplemental Register.

The Trademark Examining Attorney refused registration on the Supplemental Register under Trademark Act Section 23(c), 15 U.S.C. §§ 1091(c), on the ground that BEEF CHEEK is generic and thus incapable of distinguishing Applicant's goods. After the Examining Attorney made the genericness refusal final, Applicant appealed to this Board. Applicant and the Examining Attorney have filed briefs. We affirm the refusal to register.<sup>2</sup>

### I. Applicable Law

By amending its application to seek registration of BEEF CHEEK on the Supplemental Register, Applicant conceded that the term is merely descriptive. Thus, we must determine whether BEEF CHEEK is capable of distinguishing Applicant's goods from those of others. "Generic terms do not so qualify." *In re Emergency Alert Sols. Grp., LLC*, 122 USPQ2d 1088, 1089 (TTAB 2017); *In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 57 USPQ2d 1807, 1810 (Fed. Cir. 2001) (generic terms "are by definition incapable of indicating a particular source of the goods or services"). A generic term "is the common descriptive name of a class of goods or services" and unregistrable on either the Principal or the Supplemental Register. *Princeton Vanguard, LLC v. Frito-Lay N. Am., Inc.*, 786 F.3d 960, 114 USPQ2d 1827, 1830 (Fed. Cir. 2015) (citing *H. Marvin Ginn Corp. v. Int'l Ass'n of Fire Chiefs, Inc.*, 782 F.2d 987, 228 USPQ 528, 530 (Fed. Cir. 1986)).

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<sup>2</sup> The TTABVue and Trademark Status and Document Retrieval (TSDR) citations refer to the docket and electronic file database for the involved application. All citations to the TSDR database are to the downloadable .PDF version of the documents.

There is a two-part test used to determine whether a designation is generic: (1) what is the genus (class or category) of the goods or services at issue? and (2) does the relevant public understand the designation primarily to refer to that genus of goods or services? *Princeton Vanguard*, 114 USPQ2d at 1830 (citing *Marvin Ginn*, 228 USPQ at 530); *Couch/Braunsdorf Affinity, Inc. v. 12 Interactive, LLC*, 110 USPQ2d 1458, 1462 (TTAB 2014).

## II. What is the Genus of the Goods at Issue?

Our first task is to determine the proper genus of the goods at issue. In defining the genus, we commonly look to the identification of goods in the application. *In re Reed Elsevier Prop. Inc.*, 482 F.3d 1376, 82 USPQ2d 1378, 1380 (Fed. Cir. 2007); *Magic Wand Inc. v. RDB Inc.*, 940 F.2d 638, 19 USPQ2d 1551, 1552 (Fed. Cir. 1991) (a proper genericness inquiry focuses on the identification set forth in the application or certificate of registration); *In re Serial Podcast, LLC*, 126 USPQ2d 1061, 1063 (TTAB 2018) (proper genus generally is “set forth by the [identification of goods] in each subject application.”). The Examining Attorney contends that “edible chews and treats for pets, made primarily from beef cheeks, adequately defines the genus or sub-genus at issue.”<sup>3</sup> Applicant argues that “the genus of goods at issue are edible treats and chews for pets.”<sup>4</sup>

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<sup>3</sup> 8 TTABVUE 6 (Examining Attorney’s brief). References to the briefs on appeal refer to the Board’s TTABVUE docket system. Before the TTABVUE designation is the docket entry number; and after this designation are the page references, if applicable.

<sup>4</sup> 6 TTABVUE 6 (Applicant’s brief).

We find that “edible treats and chews for pets” accurately reflects the goods on which Applicant uses its applied-for mark, regardless of their ingredients; the category of goods is identifiable and adequately defined by the identification of goods in Applicant’s application.

### III. Who are the Relevant Purchasers?

The second part of the *Marvin Ginn* test is whether the term sought to be registered is understood by the relevant public primarily to refer to the genus of goods under consideration. “The relevant public for a genericness determination is the purchasing or consuming public for the identified goods.” *Frito-Lay N. Am., Inc. v. Princeton Vanguard, LLC*, 124 USPQ2d 1184, 1187 (TTAB 2017) (citing *Magic Wand*, 19 USPQ2d at 1553); *Sheetz of Del., Inc. v. Doctor’s Assocs. Inc.*, 108 USPQ2d 1341, 1351 (TTAB 2013). Applicant argues that the relevant public is “purchasers of edible treats and chews for pets.”<sup>5</sup> The Examining Attorney argues that “the relevant public comprises ordinary consumers who purchase applicant’s goods, presumably having or caring for pets.”<sup>6</sup> Because Applicant’s goods are identified as “edible treats and chews for pets” without limitation as to type, i.e., small batch or mass marketed pet products, price point or trade channel, we find the relevant purchasers of Applicant’s goods are ordinary members of the public who purchase edible treats and chews for their pets.

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<sup>5</sup> 6 TTABVUE 6.

<sup>6</sup> 8 TTABVUE 7.

#### IV. What is the Meaning of BEEF CHEEK to the Relevant Public?

We next turn to consider the meaning of the term BEEF CHEEK. “Evidence of the public’s understanding of the term may be obtained from any competent source, such as purchaser testimony, consumer surveys, listings in dictionaries, trade journals, newspapers and other publications.” *Royal Crown Co., Inc. v. Coca-Cola Co.*, 892 F.3d 1358, 127 USPQ2d 1041, 1046 (Fed. Cir. 2018) (citing *In re Merrill Lynch*, 4 USPQ2d at 1143); *see also In re Cordua Rests., Inc.*, 823 F.3d 594, 118 USPQ2d 1632, 1634 (Fed. Cir. 2016); *Princeton Vanguard*, 114 USPQ2d at 1830; *In re Reed Elsevier*, 82 USPQ2d at 1380 (finding third-party websites competent sources for determining what the relevant public understands mark to mean).

##### 1. Evidence

The Examining Attorney introduced into the record evidence from the websites excerpted below, describing pet treats and chews that include beef cheek as a key ingredient:



**Top Dog Chews Buffalo Beef Cheek Rolls Dog Treat, 5 count**  
By Top Dog Chews  
★★★★☆ 30 Reviews | 11 Answered Questions

Price: **\$35.50** FREE SHIPPING OVER \$49

**Autoship & Save** **\$33.72** (Save an extra 5%)  
Simply select Autoship at checkout for easy regular deliveries

**In stock**  
Size: 10 - 12 inches

Quantity: 1

**Add to Cart**

[Add to Favorites](#)

## Description

Give your canine companion a treat he won't be able to resist by rewarding him with Top Dog Chews Buffalo Beef Cheek Rolls! These chews are made of 100% natural, easily digestible cow cheeks sourced from Brazil. Not smoked or flavored, these chews deliver an all-natural taste that dogs love and have a firm texture to help keep your pup entertained. As he gnaws, the roll will help scrape away plaque and tartar, supporting his dental health. These treats are paw-fect for aggressive chewers!

## Key Benefits

- Crafted with 100% natural buffalo cheek from Brazil.
- A tasty way to help keep your furry BFF's teeth and gums healthy.
- Not smoked or flavored—just the all-natural taste dogs love.
- Helps keep your pup preoccupied and entertained.
- A great reward for dogs who love to chew.

<https://www.chewy.com/top-dog-chews-buffalo-beef-cheek/dp/196443> 04/29/2020 01:10:44 PM

Autoship & Save	<b>\$33.72</b>	<b>\$25.22</b>	<b>\$21.78</b>	<b>\$50.53</b>
Top Ingredients	Beef Cheek...	Ox Tail...	Water Buffalo Tails...	Beef Hoof., Filling: Chicken Meal, Cane Sugar...
Breed Size	Small Breeds, Medium Breeds, Large Breeds			
Food Flavor	Beef	Ox	Buffalo	Beef
Food Form	Treats	Treats	Treats	Treats
Lifestage	Adult	Adult	Adult	Adult

### ★★★★★ My dog's love these

By Sophia on Aug 8, 2020

My dogs love these cow cheek rolls couldnt get enough, will differently buy again

### ★★★★★ dogs love them

By DoodleMom on Jan 28, 2020

My dogs love these beef cheeks. They are very good at keeping teeth clean, too. Would like to note that all 5 of the cheeks we received were 10 inches long. Still a great deal. Thank you, Chewy!

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★★★★★ Great Dane Approved!

By BobsMom on Nov 18, 2019

Finally! I've been waiting for beef cheeks to be available in bulk on Chewy and they have arrived! This size is bigger than the ones sold at Pet Smart stores and lasts longer. I only allow my great Dane to have his beef cheek for half an hour at a time, but it's the ONLY treat other than bully sticks that can actually keep his attention for that long without worrying about him choking on small pieces or getting sick. I will be keeping a stache of these on hand at all times!

[Dog](#) > [Treats](#) > [Bones, Bully Sticks & Natural Chews](#) > [Natural Chews](#)

## Redbarn Glazed Beef Cheek Roll Dog Chew

★★★★★ 7 Reviews | 2 Answered Questions



List Price: ~~\$6.99~~

Price: **\$6.41** FREE SHIPPING OVER \$49

You Save: \$0.58 (8%)

**Autoship: \$6.09** (Save an extra 5%)  
& Save Simply select Autoship at checkout for easy regular deliveries

Quantity  
1

In stock

## Description

The Redbarn Glazed Beef Cheek Roll Dog Chew provides your canine companion with the mouthwatering flavors he dreams about! Your furry friend will be licking his chops as soon as he smells the delicious carrot and chicken glaze that coats this boredom-busting chew. The beef cheek is highly digestible and safe for your pal who has a sensitive stomach, making it a paw-fect alternative to traditional rawhides. It's free of artificial preservatives, flavors and colors and is naturally infused with collagen to support joint health. Your best bud can devour this grain and gluten free chew without making a mess as the product won't leave behind smelly odors or unwanted stains!



**HDP Beef Cheek Rolls Natural Chew Dog Treats, 5 count** By HDP

★★★★★ 8 Reviews | 3 Answered Questions

Was: ~~\$27.99~~

Price: **\$21.98** FREE SHIPPING OVER \$49

You Save: \$6.01 (21%)

Temporarily out of stock

Size: **12-in**

Sorry, this item is temporarily unavailable

[Add to Favorites](#)

## Description

Your pup will be nose over tail for these Beef Cheek Rolls Rawhide Dog Treats from HDP! Made from 100% beef cheeks, these savory snacks are baked in custom human-grade ovens to help bring out their natural meaty flavor and appetizing color. These natural rawhide alternatives are made with zero additives, chemicals or preservatives and

appetizing color. These natural rawhide alternatives are made with zero additives, chemicals or preservatives and have an irresistible chewy texture that dogs can't get enough of. Plus, they're easily digestible and packed with protein for a healthy snack that's easy on the tummy.

## Key Benefits

- Made of 100% all-natural beef cheek.
- Oven baked for a meaty flavor.
- Easily digestible for a worry-free chew.
- Contain no chemicals or preservatives and are free of soy, grains and gluten.
- Ideal for pupper friends of all sizes.

★★★★★ highly recommend

By shephardmom on Apr 13, 2020

the 12 inch beef checks are very long lasting both of my dogs are fast chewers and these kept them occupied for an entire day.. highly recommended to keep the furbabies occupied

★★★★★ **beef cheek rolls**

By janer on Mar 27, 2020

I love these! They are very long lasting with my heavy chewers and they love them. Very worth it!



## Beef Cheek Roll

Small (1.2oz) or Large (3oz). ☆☆☆

Product Size

**CHOOSE AN OPTION** ▾

Helps support

- Healthy Joints
- Dental Hygiene
- Boredom Busting

Recommended for

- Light Chewers
- Moderate Chewers
- Power Chewers

Beef Cheek Rolls are available coated, with a delicious and nutritious **chicken and carrot glaze**, or uncoated. Even better, our line of Beef Cheek chews is naturally rich in collagen, which helps support your dog's joint health.

# Beef Head Skin - Best Rawhide Alternative - Premium Quality Beef Cheek Dog Chew - All-Natural Dog Treat (Mega Thick 6" -100 Count)

Visit the Amazing Dog Treats Store

★★★★★  9 ratings

Price: **\$99.99** (\$1.00 / Count)

**Coupon**  Save an extra 5% when you apply this coupon. [Details](#)

Get \$50 off instantly: Pay \$49.99 ~~\$99.99~~ upon approval for the Amazon Rewards Visa Card. No annual fee.

- **BEST RAWHIDE ALTERNATIVE:** Amazing Dog Treats Beef Cheek Chews are the best Rawhide Alternatives you can find. Most rawhides are overly processed using chemicals or preservatives and are very dangerous for your dog to consume. Beef Cheek chews are high in protein and will not cause harmful stomach blockages like rawhide can.

10" Mega Thick Beef  
Cheek Rolls (3 Pcs/Pk) -  
No Hide - Safe Non  
Rawhide Alternative...  
★★★★★ 592  
\$21.99 ✓prime

Barking Buddha Beef  
Cheek Slices - Extra  
Thick - All Natural - No  
Additives Gluten ...  
★★★★★ 11  
\$26.98

Beef Cheek Strips  
Premium Dog Chew  
(Mega Thick 6" -100  
Count) - NO Odor...  
★★★★★ 246  
\$89.99

Barking Buddha Beef  
Cheek Slices | Premium  
Dog Chews | Extra Thick,  
All Natural, No...  
★★★★★ 8  
\$25.28

ValueBull Beef Cheek  
Slices, Premium Thick 12  
Inch, 20 Count - Angus  
Beef Dog Chews...  
\$71.99

Barking Buddha Beef  
Cheek Slices | Premium  
Dog Chews | Extra Thick,  
All Natural, No...  
★★★★★ 2  
\$40.89 ✓prime

Items related to this category on Amazon




**AMAZING  
DOG TREATS**  
Amazing Dog Treats for Amazing  
Dogs  
[Shop Amazing Dog Treats >](#)



**dailydose**  
2-in-1 Dog Dental Chew Plus Daily  
Supplement  
[Shop dailydose >](#)



**Nylabone**  
Grain f  
biscuit  
[Shop Ny](#)

Customers who viewed this item also viewed



Beef and Lamb Cheek  
Strips Dog Chews - Best  
Rawhide Alternative -  
Premium Quality Beef  
Cheek Dog Chew - No  
Hide - Beef Cheek Dog  
★★★★★ 247  
\$89.99



Beef Cheek Rolls - No  
Hide - Safe Non Rawhide  
Alternative Doa Chew -  
Great for Power Chewers  
- Long Lasting Dog Chew  
- No Splinters - Retriever  
★★★★★ 593  
\$16.95



Premium Thick Cut  
Chips, Top Rawhide (Last  
Much Longer Than  
Traditional Chips). 100%  
Natural. Great  
Behavioral Dog Chew  
★★★★★ 1,774  
\$33.90



Wild Eats Water Buffalo  
Retriever Style Cheek  
Roll Doa Chews - 5 Pack  
(Healthy Alternative for  
Beef Rawhides for Dogs,  
Natural Dog Treat,  
★★★★★ 388  
\$15.95



Barking Buddha Beef  
Cheek Slices - Extra  
Thick - All Natural - No  
Additives Gluten Free -  
Premium Dog Chews |  
Large 10" - 12 | 12 Pack  
★★★★★ 14  
\$39.99



Cowdog Chews Retriever  
roll 9-10 inch All Natural  
Rawhide Product  
★★★★★ 6,353  
\$25.79

6 Inch Beef Head Skin Amazing Dog Treats is here to make your dog "bow" and say "Wow! From all our MMM-AZING dog treats for them to choose! All our Beef Cheek Dog Treats are made from free range and environmentally friendly sourced, Grass Fed beef at our own plants to ensure the best tasting All-Natural, Single Ingredient dog treats in the world. Beef Cheek skin chews are nutritious and the most like rawhide dog chews without the negative consequences that sometimes occur when dogs are given rawhide. Beef Cheek Skin are not processed, glued, or exposed to man-made chemicals like their rawhide counterparts. Beef Cheek skin is just as long lasting but is highly digestible and are less likely to cause any blockages or stomach disruptions like rawhide, yet they offer a better thickness which assists in longer periods of chewing time. Beef Cheek Meats are naturally clean, odorless and don't stain your dogs' fur or your furniture. We highly recommend our Beef Cheek Skin Dog Chews to dog owners that prioritize dog hygiene, lack of odor, and cleanliness with the treats they provide. AMAZING DOG TREATS Every Package is Paw Approved! Product: Beef Head Skin Country of Origin: Turkey Flavor: Beef Nutritional Information: Crude Protein:75.39 % (min) Crude Fat:7.48 % (min) Crude Ash:4.9 % (max) Moisture:12.23 % (max) Other Benefits: - Helps promote healthy teeth and gums - Amazing chew for all dog sizes -No Added Chemicals, Preservatives, or Man-made Ingredients -Best alternative for Rawhide Dog Chews Feeding Instructions: When providing your beloved dog with Amazing Dog Chews & Treats' all-natural dog chews for supplemental feeding make sure there is a bowl of water readily available, and close supervision is highly recommended as this is the safest way to ensure your pup is chewing our treats properly.



Barking Buddha Beef  
Cheek Slices - Extra  
Thick - All Natural - No  
Additives Gluten ...  
★★★★★ 11  
\$26.98



Raw Paws 10-inch  
Retriever Beef Cheek  
Rolls for Dogs, 4-ct -  
Packed in USA - Safe R...  
★★★★★ 87  
\$27.99 ✓prime



10" Mega Thick Beef  
Cheek Rolls (3 Pcs/Pk) -  
No Hide - Safe Non  
Rawhide Alternative...  
★★★★★ 592  
\$21.99 ✓prime



Barking Buddha Beef  
Cheek Rolls | Premium  
Dog Chews | Extra Thick,  
All Natural, No ...  
★★★★★ 19  
\$34.99 ✓prime



Beef Knee Cap Bones for  
Dogs | Made in USA & All  
Natural | Long Lasting  
Dog Chews |...  
★★★★★ 135  
\$21.46 ✓prime

More to consider from our brands



Pet Craft Supply Pure Natural Grass Fed Water Buffalo Cheek Roll - Durable Tough Dog Chew for Aggressive Chewers and Puppies  
 ★★★★★ 205  
 \$15.99



Pet Craft Supply Pure Natural Grass Fed Water Buffalo Ear Value Pack of 16 Ears Free Range Durable Tough Dog Chew and Treat for  
 ★★★★★ 423  
 \$15.22



WAG Dental Dog Treats to Help Clean Teeth & Freshen Breath  
 ★★★★★ 643  
 \$24.99



Pet Craft Supply Freeze Dried Dog Treats and Cat Treats - Naturally Wholesome Grain Free Single Animal Source Protein Rich Treats  
 ★★★★★ 1,158  
 \$9.30



Amazon Brand - Wag Treats, Chicken and Waffle Bites  
 ★★★★★ 688  
 \$7.49



Amazon Brand - Wag Jerky Dog Treats (Beef, Chicken, Turkey)  
 ★★★★★ 2,778  
 \$7.99

Benefits and Drawbacks of Rawhide

Rawhide chews are popular treats for dogs because they're cheap and dogs love them. Traditional rawhides are made from cow or horse hides, and can be good for a dog's teeth, as they need to chew to promote good oral health. But rawhide has its drawbacks, as well.

The most common rawhide risks come with being exposed to toxic chemicals that may have contaminated the rawhide during its processing stage, being contaminated with traces of harmful bacteria such as Salmonella or E. Coli that can be harmful to both your dog and yourself, and being very tough on a dog's stomach for digestion. While the risks are relatively small and your dog would most likely be fine, we recommend safer alternatives that are just as good for your dog's chewing needs.



No-Hides look and feel the same as rawhides, but they aren't made with unhealthy ingredients and harmful chemicals –in fact, they're 100% free of rawhides and made with high quality, human grade ingredients that are healthy and easily digestible to your dogs.

Beef cheek rolls are made 100% from the inside of a cow's cheek, so they're all natural and digestible for dogs as well.



Dentley's® Nature's Chews Beef Cheek Roll Dog Treat

by Dentley's

Item #5280148



\$4.99

Earn **Treats** on this purchase! [Sign Up](#)

Buy 3, Get the 4th Free Dog Treats & Chews

[Details](#)

Free Same-Day Delivery!

[Details](#)

Quantity 1 Count

Buy online, pick up in-store<sup>®</sup>

Most orders ready in 3 hours or less!

**ONLY A FEW LEFT AT**

Springfield  
 6535 Frontier Dr  
 703-922-4990

[Check other nearby stores](#)

Serial No. 88785786

Description	Ingredients	Directions
-------------	-------------	------------

**DESCRIPTION**

Dogs love sinking their teeth into a Dentley's Natural Flavor Beef Cheek Roll. Our bold flavors satisfy their taste buds and their instinctive urge to chew. These long-lasting chews not only keep your best friend busy, but through abrasive chewing, they help keep their teeth clean, too.

**Key Benefits:** For All Chewers

**Item Number:** 5280148

**Brand:** Dentley's

**Food Type:** Beef Cheek Roll

MaryChime - 2 years ago

I read reviews from Dog Parent Academy saying "Made from much thicker but softer pieces of skin and meat, the cheek skin is less likely to cause any blockages or stomach disruptions as your dog will also chew these longer, and will not have sharp thin pieces scrap the stomach lining like some raw hides may provoke." I wondered, because I was looking for beef cheek chews, too. Hope this helps!



### HDP Beef Cheek Rolls

Visit the HDP Store

★★★★☆ 49 ratings

Available from these sellers.

Size: 6 Inch Pack of 5

**6 Inch Pack of 5**  
1 option from \$17.99

6 Inch Pack of 12  
\$35.99

12 Inch Pack of 5  
\$22.99

12 Inch Pack of 12  
\$46.99

- Cheek rolls are 100% natural and easily digestible
- Made from soft, thick beef cheeks.
- No chemicals or preservatives



Beef Cheek Strips  
Premium Dog Chew (6  
Inch - 6 Pack) - NO Odor  
- Thick Cut - Rawhid...  
★★★★☆ 247  
\$11.99 ✓prime



10" Mega Thick Beef  
Cheek Rolls (3 Pcs/Pk) -  
No Hide - Safe Non  
Rawhide Alternative...  
★★★★☆ 593  
\$21.99 ✓prime



Raw Paws 10-inch  
Retriever Beef Cheek  
Rolls for Dogs, 4-ct -  
Packed in USA - Safe R...  
★★★★☆ 87  
\$27.99 ✓prime



Pet Factory Natural  
Rawhide Dog Treats  
78206, Made in USA,  
Natural, Digestive 8-9" ...  
★★★★☆ 229  
\$24.49 ✓prime



Sitka Farms Bully Dusted  
Beef Cheek Roll 5-6"  
Extra Thick Supreme (4)  
★★★★☆ 31  
\$24.99 ✓prime



Pet Factory Natural  
Beefhide Chip Rolls Dog  
Treats 78107, Made in  
USA, Digestive 5-...  
★★★★☆ 581  
\$15.99 ✓prime



Wild Eats Water Buffalo Retriever Style Cheek Roll Dog Chews - 5 Pack (Healthy Alternative for Beef Rawhides for Dogs, Natural Dog Treat, ★★★★★ 388 \$15.95



Beef Cheek Rolls - No Hide - Safe Non Rawhide Alternative Dog Chew - Great for Power Chewers - Long Lasting Dog Chew - No Splinters - Retriever ★★★★★ 593 \$16.95



Barking Buddha Original Large Beef Cheek Roll | 5 Pack | 10"-12" | Thick, Natural Chew Stick for Dogs ★★★★★ 124 \$33.32



Top Dog Chews Buffalo Beef Cheek Rolls ★★★★★ 285 \$15.15



Redbarn All-Natural Beef Cheek Rolls for Dogs | These Grain-Free Cow Cheeks are Naturally Rich in Collagen | Available in Chicken & ★★★★★ 38 \$8.19



Top Dog Chews Buffalo Beef Cheek Rolls with Bully Dust Sprinkles - 5 Pack from ★★★★★ 128 \$17.95



Raw Paws 10-inch Retriever Beef Cheek Rolls for Dogs, 4-ct - Packed in USA - Safe R... ★★★★★ 87 \$27.99 ✓prime



Pet Factory 78260 Made in USA Value Pack Assorted Flavored (Beef & Chicken) 6-7" Ra... ★★★★★ 7 \$23.99 ✓prime



Himalayan Pet Supply Jughead Classic Cheese Chew Insert | Best for Dogs 35 lbs and ... ★★★★★ 48 \$6.99 ✓prime



hotspot pets Beef Tendon Chews for Dogs - 8 Inch All Natural, Free-Range, Grass-Fed... ★★★★★ 194 \$19.49 ✓prime



Pet Factory American Beefhide Chews 28223 Rawhide Natural Flavor 10" Thin Rolls for... ★★★★★ 19 \$24.99 ✓prime



## All The Best Beef Cheek Roll

\$5.99 - \$9.99

Size

\$5.99

- 1 +

ADD TO CART

SKU: 054575005168

CATEGORIES: Chews And Treats , Dog Chews , Rawhide Alternatives

SHARE:

DESCRIPTION

ADDITIONAL INFORMATION

**Bully Stick 6" Braided**

Our 6" Braided Bully Sticks are made with three 6" Braided Bully Sticks. 100% natural and made from soft, thick, easily digestible cow cheeks. These are all natural and made from soft, thick, easily digestible cow cheeks. These are all natural and made from soft, thick, easily digestible cow cheeks.

Read More

**Beef Cheek Roll 10-12" with Bully Stick Dust**

Beef Cheek Rolls with Bully Stick Dust. 100% natural and made from soft, thick, easily digestible cow cheeks. These are all natural and made from soft, thick, easily digestible cow cheeks.

Read More

**Beef Cheek Roll 5-6" with Bully Dust**

Beef Cheek Rolls with Bully Stick Dust. 100% natural and made from soft, thick, easily digestible cow cheeks. These are all natural and made from soft, thick, easily digestible cow cheeks.

Read More



View Product

**Beef Cheek Roll 12"**

Beef Cheek Rolls are 100% natural and made from soft, thick, easily digestible cow cheeks. These are all natural and made from soft, thick, easily digestible cow cheeks.

Read More

**Beef Cheek Roll 6"**

Beef Cheek Rolls are 100% natural and made from soft, thick, easily digestible cow cheeks. These are all natural and made from soft, thick, easily digestible cow cheeks.

Read More

**Beef Cheek Chips**

Beef Cheek Chips look like Rawhide, but are much more digestible. 100% natural pieces of Beef Cheek is a softer hide than regular Rawhide.

Read More



View Product



Barking Buddha Beef Cheek Rolls | Premium Dog Chews | Extra Thick, All Natural, No Additives, Gluten Free | Peanut Butter - Small 5"- 6" - 10 Pack



Serial No. 88785786

<b>Brand</b>	Barking Buddha
<b>Flavor</b>	Beef
<b>Item Weight</b>	1.7 Pounds
<b>Item Form</b>	Sticks
<b>Age Range (Description)</b>	Senior

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### About this item

- **Easier Digestion:** Our Large Beef Cheek Rolls are much easier for your small to medium pups to digest making them a great alternative to rawhide.
- **Preservative Free:** They are rich in collagen, and full of delicious flavor. They are additive free, chemical free and preservative free.
- **Highest Quality:** Using a natural cleaning method and with a slow baking process in our custom-made human-grade ovens, our Beef Cheek Rolls preserve their natural beef flavor and a more natural color.
- **Sustainably Sourced:** Barking Buddha Pet Products are made in an approved facility and sustainably sourced from South America. Intended as a treat, not a food.
- **Single Ingredient: Beef cheek** | Guaranteed Analysis: Crude Protein 81.2% min, Crude Fat 3.3% min, Crude Fiber 0.7% min, Moisture 12.8% min, Ash 1.9% max

#### ★☆☆☆☆ **They smell bad!**

Reviewed in the United States on March 31, 2020

#### **Verified Purchase**

These immediately had a different smell (even through the plastic wrapping) than the beef cheek rolls that I purchase individually from a big box pet store. As soon as my dog started chewing one the smell was very strong and terrible. Also, the one that he had did not hold up nearly as long as the ones that I purchase from the local big box pet store. My dog is a 70 lb Bernedoodle that is a medium to heavy chewer. The ones that I purchase locally last him for over a week, sometimes two weeks. The one from the shipment he chewed up in a matter of an evening and I took it away. Also, it made him very sick. I did not give him any more and went back to the individually purchased local beef cheek rolls. No smell whatsoever, they last much longer, and don't make him sick.

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Yes, it does smell, but it is a beef cheek so I don't know what people expect. All that matters is my dog loves them and it lasts a long time. She usually gets through other chews in 10 mins, while this chew I can get to last all day. Keeps her entertained when I have to work. I also like that it comes with so many! Most stores sell it as one item.



Roll over image to zoom in



## Barking Buddha Original Beef Cheek Retriever Roll | 10 Pack | 5"- 6" | Super Thick, Natural Chew Treats for Dogs

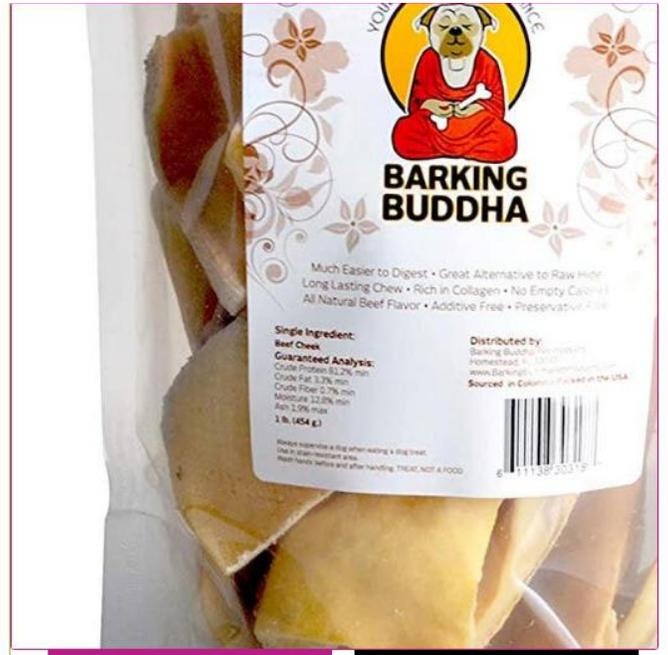
Brand: Barking Buddha

★★★★★ 96 ratings

Currently unavailable.

We don't know when or if this item will be back in stock.

- **Easier Digestion:** Our **Beef Cheek** Rolls are much easier for your pups to digest making them a great alternative to rawhide.
- **Preservative Free:** They are rich in collagen, and full of delicious flavor. They are additive free, chemical free and preservative free.
- **Highest Quality:** Using a natural cleaning method and with a slow baking process in human-grade ovens, our **Beef Cheek** Rolls preserve their natural beef flavor and natural color as well as remain a long-lasting chew.
- **Sustainably Sourced:** Barking Buddha Pet Products are made in an safety certified facility and sustainably sourced from grass fed, free range farms in South America. Intended as a treat, not a food.
- **Single Ingredient:** Beef head skin |  
Guaranteed Analysis: Crude Protein 81.2% min, Crude Fat 3.3% min, Crude Fiber 0.7% min, Moisture 12.8% min, Ash 1.9% max



More payment options

Add to Registry

## Description

✓ 100% Natural: Made with only premium quality Beef Cheek slices, sourced from grass feed, free range cattle, free from any chemicals or additives.

✓ Natural Scent: Our extra thick Beef Cheek slices are a single ingredient dog treat. This means they may contain a natural scent which you might not like but your dog will love it.

✓ Dental Care: Our Beef Cheek slices are great dental chews that help scrape away tartar and plaque promoting healthy gums and healthy teeth.

✓ Long Lasting: Our healthy single ingredient chews are rich in collagen, they provide long lasting chewing fun while being easily digestible.

✓ Excellent Rawhide Alternative: Beef Cheeks are high in protein and more digestible than rawhide that can cause harmful stomach blockages

Contains 1 lb. of chips.

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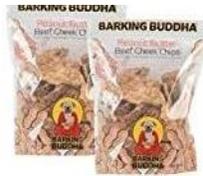


Barking Buddha Beef Cheek Rolls | Premium Dog Chews | Extra Thick, All Natural, No Additives, Gluten Free | Peanut Butter - Small 5"- 6" - 10 Pack





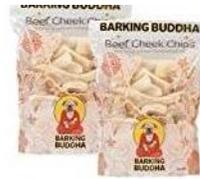
**Barking Buddha Beef Cheek Rolls** | Premium Dog Chews | Extra Thick, All Natural, No ...  
 ★★★★★ 19  
 \$34.99 ✓prime



**Barking Buddha Beef Cheek Slices** | Premium Dog Chews | Extra Thick, All Natural, No...  
 ★★★★★ 8  
 \$25.28



**Barking Buddha Beef Cheek Slices** | Premium Dog Chews | Extra Thick, All Natural, No...  
 ★★★★★ 2  
 \$40.89 ✓prime



**Barking Buddha Beef Cheek Slices - Extra Thick** - All Natural - No Additives Gluten ...  
 ★★★★★ 11  
 \$26.98



**K9warehouse Jumbo Cow Ears** for Dogs with Bully Stick Flakes | (10 Pack) Natural Dog...  
 ★★★★★ 139  
 \$24.99 ✓prime



**Beef Cheek Strips** Premium Dog Chew (6 Inch - 6 Pack) - NO Odor - Thick Cut - Rawhid...  
 ★★★★★ 247  
 \$11.99 ✓prime

s and above



**5-6 Inch Retriever Roll** - Chewing Dog Treats, 100% Natural - Grass Fed Livestock fr...  
 ★★★★★ 1,768  
 \$12.90 ✓prime



**EcoKind Pet Treats Gold Yak Dog Chews** Pack - Yak Milk Dog Treats for Active Chewers...  
 ★★★★★ 546  
 \$16.95 ✓prime



**Retriever Roll 7-8 Inches Extra Thick** (20 Pack)  
 ★★★★★ 2,324  
 \$19.90 ✓prime



**10" Mega Thick Beef Cheek Rolls** (3 Pcs/Pk) - No Hide - Safe Non Rawhide Alternative...  
 ★★★★★ 593  
 \$21.99 ✓prime



**Golden Chew Natural Rawhide Roll** Twist Sticks 9-10 Inches Dog Treat. Extra Thick, S...  
 ★★★★★ 1,248  
 \$23.90 ✓prime



**Pet Factory Natural Beefhide Chip Rolls** Dog Treats 78107, Made in USA, Digestive 5-...  
 ★★★★★ 581  
 \$15.99 ✓prime

red items you may like



**Pet Craft Supply Pure Natural Grass Fed Water Buffalo Cheek Roll** - Durable Tough Dog Chew for Aggressive Chewers and Puppies  
 ★★★★★ 205  
 \$6.99



**Top Dog Chews Buffalo Beef Cheek Rolls**  
 ★★★★★ 285  
 \$15.15



**Amazon Brand - Wag Jerky Dog Treats** (Beef, Chicken, Turkey)  
 ★★★★★ 2,779  
 \$4.79



**Barking Buddha Beef Cheek Rolls** | Premium Dog Chews | Extra Thick, All Natural, No Additives, Gluten Free | Peanut Butter - Small 5"- 6" - 10  
 ★★★★★ 19  
 \$34.99



**Pet Craft Supply Freeze Dried Dog Treats and Cat Treats** - Naturally Wholesome Grain Free Single Animal Source Protein Rich Treats  
 ★★★★★ 1,158  
 \$9.30



**Barking Buddha Beef Cheek Slices** - Extra Thick - All Natural - No Additives Gluten Free - Premium Dog Chews | Chips 2"- 4" | Two - 1 lb.  
 ★★★★★ 11  
 \$26.98

★★★★★ **Light, Airy and Long Lasting**

Reviewed in the United States on May 8, 2018

**Verified Purchase**

Surprised to find how light and airy yet super durable these **beef cheeks** are. Was looking for something that had no added ingredients as my pup has a very delicate digestive system. Not only is it 100% **beef cheek** but it's grass fed, free range and sustainably sourced which makes me feel better about the life of the animal. It took quite some time for my dog to get through one of them so I'm glad I got the 10-pack knowing how long it will last. Doesn't have the stink that other chews do either which is a plus. Will definitely purchase again.

7

The Examining Attorney also introduced into the record the following explanation of what cut of meat constitutes “beef cheeks” in the context of a recipe for human food (RecipeEats.com).

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<sup>7</sup> April 29, 2020 first Office Action at 4-29 (Chewy.com); August 11, 2020 non-final Office Action at 30-38, 48-53 (Chewy.com; RedBarn.com); March 1, 2021 final Office Action at 6-77 (FrescoDog.co.uk; Amazon.com; PremierPetSupply.com; PetSmart.com; AlltheBestPetCare.com; PetWants.com; GladDogsNation.com; CleanRun.com).

We consider the United Kingdom webpage FrescoDog.co.uk inasmuch as “[i]nformation originating on foreign websites or in foreign news publications that are accessible to the United States public may be relevant to discern United States consumer impression of a proposed mark.” *In re Bayer Aktiengesellschaft*, 488 F.3d 960, 82 USPQ2d 1828, 1835 (Fed. Cir. 2007).

The Examining Attorney further introduced evidence of a recipe for “beef cheeks in red wine sauce” (*Id.* at 30-55; August 11, 2020 non-final Office Action at 6-29, 39-47, 57-58) that we find not to be probative inasmuch as it discusses human food, not pet treats and chews.

## What are beef cheeks?

Beef Cheeks are the cheek muscle of cows and they are a very tough cut of meat that needs to be cooked long and slow to make it tender. It absorbs the flavours of braising liquid well and when you cut into it, it is stringy, almost like pulled pork.

But unlike beef chuck (used for Beef Stew and Pot Roast), Brisket and even Beef Short Ribs which have patches of really juicy sections and also some that can (sometimes) be a bit dry, **not a single part of the beef cheek is dry**. Every mouthful is juicy and luscious and even just typing up this post is making my mouth water!

And THAT is what makes them so special!!

8

In response to three “interrogatories” or requests for information posed by the Examining Attorney,<sup>9</sup> Applicant responded as follows:<sup>10</sup>

Are applicant’s goods comprised, in whole or in part, of beef?

Yes, but only the head skin, not the actual meat from a cow. Head skin is the skin from the shoulder up to the ear but not the ear itself and the skin up to the nose but not the nose itself. Head skin does not include the cheeks. The peanut butter flavor products also include peanut dust and ionized water.

Are applicant’s goods comprised, in whole or in part, of animal cheeks?

No, the goods are from head skin.

Are applicant’s goods comprised, in whole or in part, of the cheeks of cows?

No, the goods are from head skin.

Applicant submitted the declaration of its Vice-President of Marketing, Lucy Caprez, introducing as exhibits photos of its products bearing the BEEF CHEEK

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<sup>8</sup> April 29, 2020 first Office Action at 32.

<sup>9</sup> August 11, 2020 non-final Office Action at 2-3.

<sup>10</sup> February 4, 2021 Response to non-final Office Action at 5, 10 (Declaration of Applicant’s Vice-President of Marketing, Lucy Caprez).

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designation and screenshots from its website displaying advertising for its BEEF CHEEK products.<sup>11</sup> These exhibits are excerpted below.



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<sup>11</sup> February 4, 2021 Response to non-final Office Action at 10-11, 12-37.



🔍 What are you looking for?

👤 Sign in or Register | 🛒 (0)

BARKING BUDDHA  
★★★★★

## MOST POPULAR PRODUCTS



**BEEF CHEEK™ ROLLS LARGE (3 PACK)**  
\$19.99  
Barking Buddha



**USA 12" SUPER MONSTER BULLY STICK (3 PACK)**  
\$53.99  
Natural Cravings USA



**BEEF CHEEK™ CHIPS (1 LB. VALUE BAG)**  
\$12.99  
Barking Buddha



**USA 5" STANDARD STEER BULLY STICKS (5 STICKS INSIDE)**  
\$12.99  
Natural Cravings USA



🔍 What are you looking for?

👤 Sign in or Register

### DESCRIPTION

Our Large Beef Cheek™ Slices are much easier to digest making them a great alternative to rawhide. They are rich in collagen, and full of delicious flavor. They are additive free, chemical free and preservative free. Great for small to medium dogs! Using a natural cleaning method and with a slow baking process in our custom-made human-grade ovens, our Beef Cheek™ Slices preserve their natural beef flavor and a more natural color.

Barking Buddha Pet Products are made in an FDA approved facility and sourced from South America. Intended as a treat, not a food. Also available in natural Small Beef Cheek™ Rolls!

Guaranteed Analysis: Crude Protein 81.2% min, Crude Fat 3.3% min, Crude Fiber 0.7% min, Moisture 12.8% min, Ash 1.9% max

Single Ingredient: Beef head skin

In addition, Applicant introduced evidence that PetsMart has acquired Chewy, resulting in the Examining Attorney's evidence emanating from one fewer source of third-party uses of "beef cheek(s)" in connection with pet treats and chews.<sup>12</sup>

## 2. Discussion

Determining whether a term is generic is fact intensive and depends on the record. *See In re Tennis Indus. Ass'n*, 102 USPQ2d 1671, 1680 (TTAB 2012); *see also Royal Crown v. Coca-Cola Co.*, 127 USPQ2d at 1044 ("Whether an asserted mark is generic or descriptive is a question of fact" based on the entire evidentiary record). As noted above, we must give due consideration to the evidence of consumer perception of the use of the mark as a whole. *Princeton Vanguard*, 114 USPQ2d at 1831 (quoting *In re Steelbuilding.com*, 75 USPQ2d at 1421 ("An inquiry into the public's understanding of a mark requires consideration of the mark as a whole. Even if each of the constituent words in a combination mark is generic, the combination is not generic unless the entire formulation does not add any meaning to the otherwise generic mark.")).

Based upon the evidence of record, we make the following findings of fact:

- certain edible pet treats and chews are made, inter alia, from the part of the cow known as the "beef cheek";
- consumers refer to Applicant's "edible treats and chews for pets" as "beef cheek(s);"

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<sup>12</sup> February 4, 2021 Response to non-final Office Action at 46-50 (Chewy.com).

- third parties create and market edible pet treats and chews made in part from “beef cheek”, and refer to them as “beef cheek(s);” and
- consumers also refer to edible pet treats and chews made in whole or in part from the part of the cow known as the “beef cheek,” advertised and sold by third parties as “beef cheek(s).”

Based upon the record, we find that edible pet treats and chews made from “beef cheek” is a type of pet treat and chew within the genus “edible treats and chews for pets” defined by Applicant’s identification of goods. *Royal Crown Co. v. Coca-Cola Co.*, 127 USPQ2d at 1046 (directing the Board to consider whether the relevant public understands the term ZERO to refer to a key aspect of the relevant genus of goods); *see also In re Cordua Rests., Inc.*, 823 F.3d 594, 604, 118 USPQ2d 1632, 1637-38 (Fed. Cir. 2016) (affirming TTAB finding that CHURRASCOS – a type of grilled meat – is generic for restaurant services); *In re Hikari Sales USA, Inc.*, 2019 USPQ2d 111514, at \*13 (TTAB 2019) (holding ALGAE WAFERS generic for fish food).

When an applied-for term “directly names the most important or central aspect or purpose of [an] applicant’s goods” and would be understood by the relevant consumers as referring to a category of those goods, the term is generic. *See In re Cent. Sprinkler Co.*, 49 USPQ2d 1194, 1199 (TTAB 1998) (finding ATTIC generic for automatic sprinklers for fire protection). Here, the record shows that flavor and texture, including the flavor and texture of beef cheek, is an important and central aspect for certain pet treats and chews known to be long-lasting, flavorful, healthy and, in some cases, potent in smell, and “beef cheek(s)” refers to a specific flavor of

“edible treats and chews for pets” advertised and sold by Applicant and several third parties. *See A.J. Canfield Co. v. Honickman*, 808 F.2d 291, 1 USPQ2d 1364 (3<sup>rd</sup> Cir. 1986) (CHOLCOATE FUDGE generic for diet sodas with chocolate fudge flavor). Accordingly, we find that consumers would readily understand “beef cheek” to refer to the subset of pet treats and chews formulated from or resembling beef cheek(s).

To the extent that “beef cheek” is an adjective for Applicant’s pet treats and chews, it is settled that an adjective can be a generic term. *See Sheetz of Del., Inc. v. Doctor’s Assocs. Inc.*, 108 USPQ2d at 1366 (finding the adjective “footlong” generic in connection with sandwiches); *In re Cent. Sprinkler Co.*, 49 USPQ2d at 1199 (finding the adjective ATTIC to be generic for “automatic sprinklers for fire protection”; “applicant’s mark does not present the classic case of a generic noun, but rather a generic adjective”); *In re Reckitt & Colman, N. Am. Inc.*, 18 USPQ2d 1389 (TTAB 1991) (the expression “generic name for the goods or services” is not limited to noun forms but also includes “generic adjectives,” that is, adjectives which refer to a genus or species, category or class, of goods or services). The significance of “beef cheek(s)” is as a generic adjective for this type of pet treat or pet chew; thus BEEF CHEEK is incapable of distinguishing the source of the goods. *In re Empire Tech.*, 123 USPQ2d 1544, 1565-66 (TTAB 2017) (COFFEE FLOUR generic for flour made from coffee berries); *In re Demos*, 172 USPQ 408, 409 (TTAB 1971) (“CHAMPAGNE” merely names principal ingredient of applicant’s salad dressing and is unregistrable).

We are not persuaded by Applicant’s argument that because “Applicant’s BEEF CHEEK products are not comprised entirely of the cheeks from cows and instead are

made out of head skin, which is the skin from the face of a cow that does not include the cheek,”<sup>13</sup> the designation BEEF CHEEK is not generic for Applicant’s goods. The evidence of record reproduced above indicates Applicant originally advertised that its goods identified by its BEEF CHEEK designation were made from beef cheek, and that the listed ingredients were at some time thereafter changed to indicate the goods are made from head skin.<sup>14</sup> The evidence of record further suggests that pet chews and treats made from beef cheek are also formulated, in part, from head skin.<sup>15</sup> The evidence of record also establishes that consumers of Applicant’s goods use the term beef cheek as a generic term for pet treats and chews formulated, in whole or in part, from the portion of a cow commonly known as beef cheek.<sup>16</sup>

We similarly are not persuaded by Applicant’s argument that PetSmart’s purchase of Chewy.com significantly reduces the probative value of the Examining Attorney’s evidence retrieved from the websites of those companies.<sup>17</sup> Despite common ownership, the two entities both appear to remain in operation under their respective separate names, and there is little evidence of the extent to which consumers are aware of the relationship between them.

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<sup>13</sup> 6 TTABVue 6.

<sup>14</sup> March 1, 2021 final Office Action at 60, 62; February 4, 2021 Response to non-final Office Action at 12-14, 21, 23, 25, 27, 29, 31, 33, 35, 37.

<sup>15</sup> See, e.g., April 29, 2020 first Office Action at 7.

<sup>16</sup> April 29, 2020 first Office Action at 4-29; August 11, 2020 non-final Office Action at 30-38, 48-53; March 1, 2021 final Office Action at 6-77

<sup>17</sup> February 4, 2021 Response to non-final Office Action at 46-50 (Chewy.com).

Applicant also relies upon non-precedential decisions of the Board, *In re Kyjen Co., Inc.*, 2012 TTAB LEXIS 133, \*4-5, serial no. 77571488 (TTAB April 12, 2012) and *In Methy Holdings*, 2006 TTAB LEXIS 944, \*10-11, serial no. 76522942, (TTAB Oct. 20, 2006). The Board does not encourage the practice of citing decisions not designated as precedent because they are not binding on the Board, but such decisions may be cited for whatever persuasive value they might have. *See In re Soc’y of Health & Physical Educators*, 127 USPQ2d 1584, 1587 n.7 (TTAB 2018); *see also See also In re Luxuria s.r.o.*, 100 USPQ2d 1146, 1151 n.7 (TTAB 2011) (parties may cite to non-precedential decisions, but they are not binding on the Board and because they have no precedential effect, the Board generally will not discuss them in other decisions); TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 101.03 (2022).

Further, these non-precedential decisions involved different marks (DOG GAMES and ROLLUP) and tangentially related or unrelated goods (pet toys and awnings). We thus find these decisions are not probative of the genericism issue under consideration here. “It has been said many times that each case must be decided on its own facts.” *In re Eagle Crest Inc.*, 96 USPQ2d 1227, 1229 (TTAB 2010) (internal citation omitted).

## V. Conclusion

Taken as a whole, the evidence indicates that the relevant public would understand and use BEEF CHEEK primarily as the name for a type of edible pet treat or pet chew. Accordingly, the term is generic “and should be freely available for

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use by competitors.” *In re Cent. Sprinkler Co.*, 49 USPQ2d at 1199. *See generally In re Cordua Rests.*, 118 USPQ2d at 1635; *Marvin Ginn*, 228 USPQ at 530; *In re 1800Mattress.com*, 92 USPQ2d at 1685.

**Decision:**

The refusal to register Applicant’s proposed mark on the Supplemental Register, on the ground that it is generic, is affirmed.